ETHERIDGE CAROLYN E 02/09/82 133737 PR NTE: LL
82 SEOUL 11519
CONFIDENTIAL

EXCISE 714

CONFIDENTIAL
PAGE 01 SEOUL 11519 01 OF 02 030924Z
ACTION EA-12
INFO OCT-01 ADS-00 CIAE-00 DODE-00 NSAE-00 NSCE-00
SSO-00 ICAE-00 INRE-00 PM-07 H-01 INR-10 I-03
PA-01 SP-02 SS-15 IO-14 HA-05 AID-07 /078 W
104468 030926Z /11

O 030900Z SEP 82
FM AMEMBASSY SEOUL
TO SECSTATE WASHDC IMMEDIATE 8861
INFO AMEMBASSY TOKYO
SA CINCUNC KS
CEJUSMAG SEOUL KS
COMUSKOREA SEOUL KS//EJ-IS
CINCPAC HONOLULU HI
C O N F I D E N T I A L SECTION 01 OF 02 SEOUL 11519
E.O. 12065: GDS 09/03/88 (BLAKEMORE, DAVID) OR-P
TAGS: PINT PGOV KS
SUBJECT: KIM DAE JUNG TRIAL (REPORT NO. 13)
REF: SEOUL 11401
1. (C - ENTIRE TEXT)
2. SUMMARY: IN THE SEPTEMBER 2 MORNING SESSION, THE DEFENSE COUNSEL ROUTINELY OBJECTED TO LARGE PORTIONS OF THE EVIDENCE OFFERED BY THE PROSECUTION. THE DEFENSE ALSO REQUESTED THAT A NUMBER OF WITNESSES BE CALLED, BUT THE PROSECUTION OBJECTED. AT THE AFTERNOON SESSION, SUPPLEMENTAL QUESTIONING OF THE DEFENDANTS BY THEIR COUNSELS RESUMED, WITH SEVERAL INTERESTING POINTS BEING MADE BY KIM DAE JUNG. THE PROSECUTION CALLED ONE WITNESS WHO TESTIFIED THAT YI HAE-CHAN WAS LYING WITH RESPECT TO ONE MINOR POINT, WHICH YI SUBSEQUENTLY ADMITTED. THE SHORT MORNING SESSION OF SEPTEMBER 3 WAS TAKEN UP WITH PROSECUTION READING 13-YEAR-OLD NEWSPAPER ACCOUNTS OF ILLEGAL
CONFIDENTIAL
CONFIDENTIAL
PAGE 02 SEOUL 11519 01 OF 02 030924Z
ACTIVITIES OF TWO MEN WITH WHOM KIM DAE JUNG ALLEGEDLY HAD CONNECTIONS.

b1, A5

AT THE SEPTEMBER 3 AFTERNOON SESSION, THE PROSECUTION ASKED PERMISSION TO CALL THREE MORE WITNESSES, TWO OF WHOM ARE IN JAPAN. TWO PROSECUTION WITNESSES THEN TESTIFIED. END SUMMARY.
CONFIDENTIAL
3. THE SEPTEMBER 2 MORNING SESSION BEGAN WITH THE PROSECUTION GOING THROUGH ITS PROTOCOLS, POINT BY POINT, AND THE DEFENSE, AS EXPECTED, OBJECTED TO NEARLY EVERY POINT IN THE INVESTIGATOR'S PROTOCOL. AFTER THIS PROCESS HAD BEEN COMPLETED FOR EACH DEFENDANT, THE LAW OFFICER ASKED EACH SIDE TO REQUEST WITNESSES IF WANTED TO BE CALLED. THE PROSECUTION HAD NONE, BUT HO HONG-MAN (M-2,
CONFIDENTIAL PAGE 1

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY H. Temple DATE 8/18/82
PORTIONS DENIED AS INDICATED

CONFIDENTIAL

KIM'S CHIEF DEFENSE COUNSEL, REQUESTED SEVEN WITNESSES INCLUDING CHONG TONG-MYON (M-R), THE STUDENT WHOM THE PROSECUTION CLAIMS WAS GIVEN MONEY BY KIM DAE JUNG (M-R· KIM TAE-CHUNG) AND KIM SANG-HYON (M-R) TO CAUSE DISTURBANCES AT CHONNAM UNIVERSITY. THE PROSECUTION OBJECTED TO CALLING ANY OF THESE WITNESSES.

EXCISE

[redacted] COUNSEL FOR OTHER DEFENDANTS ALSO REQUESTED WITNESSES, TO WHICH THE PROSECUTION OBJECTED. THE COURT ADJOURNED AT 1215.

4. WHEN COURT RESUMED AT 1428, THE LAW OFFICER ANNOUNCED THAT HE WOULD RULE LATER ON THE QUESTION OF THE DEFENSE REQUEST FOR WITNESSES. THE COURT THEN INVITED SUPPLEMENTAL QUESTIONING OF THE DEFENDANTS BY THEIR COUNSEL SINCE THEY HAD NOW BEEN GIVEN TIME TO READ THE PROCEEDS. UNDER QUESTIONING FROM HIS DEFENSE COUNSEL, KIM STATED THAT HE

CONFIDENTIAL

BROKE AWAY FROM LEFTIST MOVEMENTS IN 1946 AND POINTED OUT DIFFERENCES BETWEEN HIS 3 PHASE CONFEDERATION PLAN FOR KOREA AND KIM IL SONG'S "KOREA FEDERATION." HE ALSO SAID THAT HE WAS WORKING ON THE ORGANIZATION OF HANMINTONG IN JAPAN AND HAD AGREED WITH ITS PRINCIPLES OF SUPPORTING DEMOCRATIZATION OF THE ROK WHILE HAVING NO CONTACT WITH ANY PRO-NORTH GROUPS. HOWEVER, HE WAS KIDNAPPED BEFORE THE GROUP WAS FINALLY FORMED.

5. KIM REPEATEDLY DENIED ALLEGATIONS THAT HE GAVE MONEY TO CHONG TONG-MYON. HE REPEATED HIS EARLIER ALLEGATION THAT HIS CONFESSION WAS OBTAINED THROUGH A VARIETY OF COERCIVE MEANS. KIM SAID THAT HE IS NOT VERY SUSPICIOUS OF CHONG'S TRUTHFULNESS, SINCE THE PROSECUTION HAD OBJECTED TO CALLING HIM AS A WITNESS. HE ALSO DENIED THAT, ON A TRIP TO THE U.S., HE HAD URGED HARVARD PROFESSORS COHEN AND REISCHAUER TO ADVOCATE WITHDRAWAL OF U.S. FORCES FROM KOREA.

6. THE DEFENSE CALLED YI TAE-YON (M-R), WHO SEEMED TO BACK OFF HIS EARLIER ANTI-KIM STATEMENTS BY SAYING THAT HE DOES NOT BELIEVE THAT KIM DAE JUNG WAS A COMMUNIST AFTER HIS RETURN FROM JAPAN BECAUSE HE WAS SO THOROUGHLY INVESTIGATED. THE DEFENSE ALSO CALLED KIM SANG-HYON, WHO AGAIN REFUTED THE ALLEGATION THAT HE HAD GIVEN MONEY TO CHONG. KIM SANG-HYON SAID HE WAS RECOVERING FROM AN APPENDECTOMY WHEN HE WAS SHOWN KIM DAE JUNG'S "CONFESSION." SO HE MADE THE STATEMENT; HOWEVER, HE SAID HE HAD NEVER SEEN CHONG IN HIS LIFE. IN RESPONSE TO A QUESTION FROM THE PROSECUTION, HE SAID THAT

[redacted] BUT I WILL NOT ADMIT THAT I

EXCISE

CONFIDENTIAL

ACTION EA-12
INFO OCT-01 AIS-00 CIAE-00 CIA-00 NSAE-00 NSCE-00
SSO-00 ICAE-00 INRE-00 PM-07 H-01 INR-10 L-03
PA-01 SP-02 SS-15 IO-14 HA-05 AID-07 /078 W
------------------124514 030932Z /11

O 030900Z SEP 89
FM AMEMBASSY SEOUL
TO SECSTATE WASHDC IMMEDIATE 8862
INFO AMEMBASSY TOKYO
JA CINCUNC //S
CHJUSMAG SEOUL //S
COMUSKOREA SEOUL //S//EJ-IS
CINCPAC HONOLULU HI

C O N F I D E N T I A L SECTION 02 OF 02 SEOUL 11519

GAVE MONEY TO CHUNG, EVEN IF I DIE HERE." OTHER DEFENDANTS WERE EXAMINED BY THEIR COUNSEL, INCLUDING MUN IK-HWAN (M-R) AND YI MUN-YONG (M-R), WHO REPEATED THAT HE HAD BEEN BEATEN TO ELICIT HIS STATEMENT.

7. THE FIRST WITNESS OF THE TRIAL WAS PRODUCED BY THE PROSECUTION TO PROVE THAT YI HAE-CHAN (M-R) WAS LYING WHEN HE SAID THAT HE HAD BEEN AT A WEDDING AND NOT AT A MEETING OF STUDENTS AT WHICH VIOLENT DEMONSTRATIONS WERE DISCUSSED. THE WITNESS SAID THAT HE HAD BEEN THE KEEPER OF THE GUEST BOOK AT THE WEDDING AND YI HAD NOT BEEN THERE. YI, WHO HAD BEEN TAKEN OUT OF THE COURTROOM FOR THIS TESTIMONY, RETURNED TO THE COURTROOM AND ADMITTED THAT HE HAD LIED. THE PROSECUTION LOOKED VERY PLEASED WITH ITSELF FOR ELICITING THE ADMISSION.

8. THE MORNING SESSION OF SEPTEMBER 3 LASTED BARELY 40 MINUTES. THE COURT ACCEPTED THE DEFENSE'S MOTION FOR THE LATEST APPEARANCE OF THREE WITNESSES, (INCLUDING YI TAE-YONG

CONFIDENTIAL

(M-R), A WELL-KNOWN FEMALE LAWYER AND MOTHER OF MIF ASSEMBLYMAN CHONG TAE-CHOL (M-R). KIM DAE JUNG AGAIN TOOK THE STAND, AND MOST OF THE REMAINING SESSION WAS CONCERNED WITH ALLEGATIONS OF HIS CONNECTIONS WITH TWO PEOPLE NOW IN JAPAN--KIM CHAE-HWA (M-R) AND PAE TONG-HO (M-L)--WHO ARE CONNECTED WITH HANMINTONG AND MINDAN. READING FROM 1987 NEWSPAPER ACCOUNTS, THE PROSECUTOR TRIED TO ESTABLISH THE FACT THAT KIM DAE JUNG KNEW THAT MONEY HAD BEEN ILLEGALLY BROUGHT IN TO KOREA FROM JAPAN TO HELP THE NEW DEMOCRATIC PARTY. KIM SAID HE COULD NOT REMEMBER HAVING READ THE ACCOUNT BUT SEEMED TO RECALL HEARING A STORY TO THE EFFECT THAT SUCH MONEY HAD IN FACT COME TO KOREA. HOWEVER, SAID KIM, IT MAKES NO DIFFERENCE. KIM CHAE-HWA WAS ACQUITTED BY A COURT MARTIAL OF ANTI-

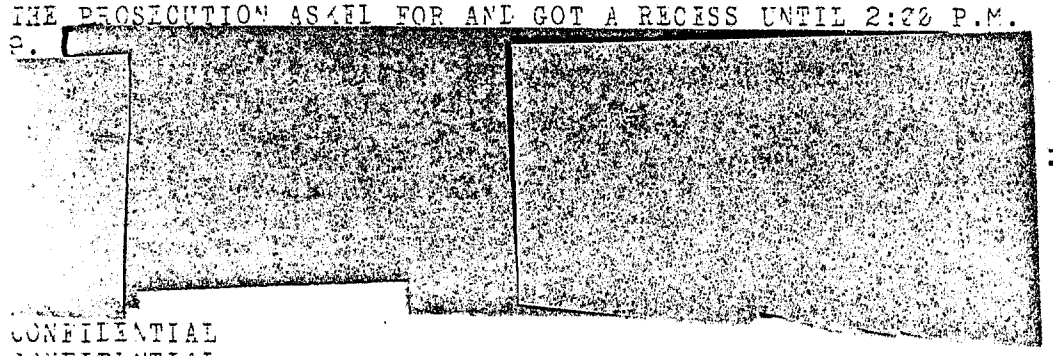
CONFIDENTIAL

ETHERIDGE CAROLYN A 02/09/82 133739 PRINTER: LI
82 SEOUL 11519

CONFIDENTIAL

EXCISE

COMMUNIST CHARGES AND THE GOVERNMENT DIDN'T EVEN HAVE ENOUGH OF A CASE TO APPEAL. ALSO, AFTER HIS TRIAL, KIM CHAE-HWA WAS ACTUALLY PERMITTED TO TAKE A SEAT IN THE NATIONAL ASSEMBLY AS A PROPORTIONAL REPRESENTATIVE IN 1971.
CONFIDENTIAL
SO HE CLEARLY COULDN'T HAVE DONE ALL THE NEFARIOUS THINGS THE PROSECUTION ASKED FOR AND GOT A RECESS UNTIL 2:30 P.M.
9.



b1
AS

CONFIDENTIAL
CONFIDENTIAL
PAGE 03 SEOUL 11519 02 OF 02 232932Z
10. AT THE SEPTEMBER 3 AFTERNOON SESSION, THE PROSECUTION ASKED PERMISSION TO INTRODUCE THE STATEMENTS OF SEVEN MORE STUDENTS WHO CLAIM THAT THEY WERE GIVEN MONEY BY KIM DAE JUNG TO ORGANIZE DEMONSTRATIONS. THE DEFENSE'S OBJECTION WAS TAKEN UNDER ADVISEMENT BY THE COURT. THE COURT ALSO TOOK UNDER ADVISEMENT THE PROSECUTION'S REQUEST TO CALL THREE WITNESSES, TWO OF WHOM ARE IN JAPAN. THE PROSECUTION THEN PUT ON TWO WITNESSES. THE FIRST, KIM CHUNG-SOK (M-R), TESTIFIED THAT HE WORKED ON THE STAFF OF KIM SANG-HYON'S KOREAN POLICY CULTURE RESEARCH INSTITUTE AND KNEW CHONG JONG-MYON. HE SAID THAT IN MAY, 1980, HE HAD SEEN CHONG COMING OUT OF KIM SANG-HYON'S OFFICE. ON CROSS-EXAMINATION HE ADMITTED THAT CHONG DID NOT SAY THAT HE (CHONG) HAD BEEN GIVEN MONEY BY KIM DAE JUNG. KANG CHONG-HO (M-R), ARRESTED DURING THE MAY DISTURBANCES AND STILL INJURED, WAS QUESTIONED ABOUT A MAY 23 MEETING WITH DEFENDANT YI HAE-CH'AN (M-R) AND OTHERS AT WHICH A PLAN FOR VIOLENT STUDENT DEMONSTRATIONS WAS DISCUSSED. YI CROSS-EXAMINED KANG HIMSELF AND THE LATTER ADMITTED THAT YI HAD NOT SAID A WORD AT THE MEETING AND THE IDEA FOR STUDENT DEMONSTRATIONS HAD BEEN ENTIRELY HIS (KANG'S). [redacted] THE COURT ABRUPTLY RECESSED AND IS SCHEDULED TO RECONVENE AT 1422 SEPTEMBER 4. GLEYSTEEN
CONFIDENTIAL

b1, AS